

Defendant.

Case No. 2:16-cv-01443-AKK

The substance of the dispute is as follows. BWR has requested that Defendant Drummond Company supplement its responses to interrogatories and requests for production to provide data and other information relating to extensive sampling, permitting and remediation work performed at the Maxine site after the

close of discovery. Despite several requests, Drummond has declined to provide responses, for the reasons stated in the correspondence which will be submitted to Chambers. BWR also seeks access to the site so that its attorneys and experts can inspect the work prior to trial, which is set for May of 2022. Drummond has refused this request as well. Undersigned counsel for BWR certifies pursuant to Federal Rule of Civil Procedure 37(d)(1)(B) that BWR has conferred in good faith with opposing counsel in an effort to obtain the necessary information to which it is entitled without court action.

Respectfully submitted this the 10th day of December, 2021.

/s/ Barry Brock

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CERTIFICATE OF SERVICE

I hereby certify that on December 10th, 2021, the foregoing was filed with the Clerk of Court using the CM/ECF system which will send notifications of such filing and service copies to the following:

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